

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Confirmation No. 6948

Application No.: 10/671,203
Filing Date: September 24, 2003
Appellant: Jeffrey L. Wise et al.
Group Art Unit: 2616
Examiner: Redentor M. Pasia
Title: Method Of Updating Flow Control While Reverse Link Is Idle

Attorney Docket: 1400B-000019/US

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF

Sir:

In response to the Notification of Non-Compliant Appeal Brief mailed October 24, 2008, Appellants attach hereto an Amended Appeal Brief which corrects the deficiencies found in Appellants' Appeal Brief filed on October 7, 2008. As requested by the Examiner, the Brief contains items required under 37 C.F.R. §41.37(e)(1)(iii).

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees which may be required.

Respectfully submitted,

Dated: November 6, 2008

By: /Michael A. Schaldenbrand/

HARNES, DICKEY & PIERCE, P.L.C.
P.O. Box 828
Bloomfield Hills, Michigan 48303
(248) 641-1600
Attorney for Appellants
JML/MAS/gmp

Joseph M. Lafata, Reg. No. 37,166
Michael A. Schaldenbrand, Reg. No. 47,923